

## **FISH and WILDLIFE COMMISSION AGENDA ITEM COVER SHEET**

**Meeting Date:** April 10, 2014

**Agenda Item:** Fishing Regulation Setting Process Overview

**Division:** Fisheries      **Action Needed:** Informational

**Time Needed on Agenda for this Presentation:** 5 minutes

### **Background**

The F&W Commission has authority to make changes to FWP fishing regulations. The process for reviewing and amending fishing regulations is based on a four-year cycle. The first year of each cycle is dedicated to actively soliciting ideas for changes from the public and FWP staff. During the following three years of the cycle ("off-cycle" years), ideas are only solicited internally from FWP biologists, fish managers and enforcement personnel. Regulation changes are proposed to the commission during off-cycle years only if they meet certain criteria\*: achieve enforcement needs, provide clarification, are important for species conservation, are removing regulations no longer relevant, or fulfill direction provided in management plans. In any given year (2014 for example), FWP is working on the fishing regulation setting process for the following fishing/license year (e.g., Mar 1, 2015 – Feb 28, 2016). 2014 is an off-cycle year; the next year with full public involvement will be in calendar year 2015 for fishing/license year 2016.

\*From pages 18 and 19 of the Montana Statewide Fisheries Management Plan:

There are rigid criteria for the types of regulation changes that can be considered during off-years. Proposals must meet one or more of the following criteria:

- 1) Clarifications (regulation change is needed to clarify intent of regulation or to correct typos or other errors that led to erroneous information in regulations);
- 2) Enforcement (regulation change is needed to improve enforcement efforts, to prevent illegal take, or to clarify intent to reduce innocent violations);
- 3) Conservation (regulation change is needed to conserve or protect the population of any species, but primarily Threatened and Endangered species);
- 4) Relevancy (regulation no longer has a real management purpose or value and there is little public following, constituency or controversy);
- 5) Management Plans (FWP has committed to implementing certain regulation changes if certain events transpire, e.g., changes in fish populations, angling pressure, catch rates, etc.)

### **Public Involvement Process & Results**

In all years, FWP posts the Department's recommendations for regulation changes on the FWP website prior to the August commission meeting. After the August meeting and adoption of proposed regulations, FWP conducts a 30-day public comment period. Following analysis of public input, FWP prepares recommendations for final regulation changes and presents these to the commission at the October meeting. For 'on-years,' additional public scoping is conducted, and input sought, starting in late Spring or early Summer, well prior to the August commission meeting.

**Alternatives and Analysis**      N/A for informational item.

**Agency Recommendation & Rationale**      N/A for informational item.

**Proposed Motion**      N/A for informational item.